

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Shunji NAKAMURA

Group Art Unit: 2811

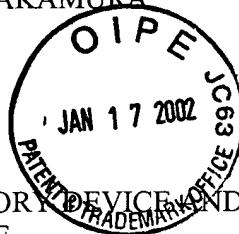
Serial Number: 10/003,304

Examiner: Not Yet Assigned

Filed: December 6, 2001

P.T.O. Confirmation No.: 7007

For: SEMICONDUCTOR MEMORY DEVICE AND METHOD FOR
FABRICATING THE SAME



RESPONSE TO NOTICE OF OMITTED ITEM

Commissioner for Patents
Washington, D.C. 20231

Date: January 17, 2002

Sir:

In response to the Notice of Omitted Item dated December 19, 2001, we are submitting a Preliminary Amendment in order to correct page 17, line 18 of the specification which was submitted in the U.S. Patent and Trademark Office on December 6, 2001. Please note that this correction in the specification should cancel the need for an omitted item, since the omitted item was a typographical error in the specification and figure 16C never existed.

In the event that this response is not timely filed, applicant hereby petitions for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 01-2340. This paper is filed in triplicate.

Respectfully Submitted,
ARMSTRONG, WESTERMAN & HATTORI, LLP

A handwritten signature in black ink, appearing to read "Sadao Kinashi".

Sadao Kinashi
Attorney for Applicant
Reg. No. 48,075

SK/lrj
Atty. Docket No. 960456B
Suite 1000, 1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosures: Preliminary Amendment & Notice



UNITED STATES PATENT AND TRADEMARK OFFICE

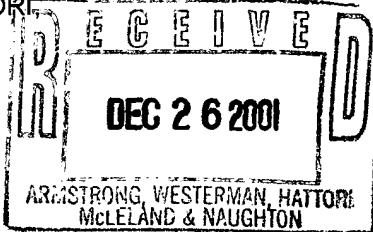
Due: FEB 17, 2002
Non-~~ext~~ Page 1 of 2COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/003,304 | 10/06/2001 | Shunji Nakamura | 960456B |



CONFIRMATION NO. 7007

23850
ARMSTRONG, WESTERMAN, HATTORI,
MCLELAND & NAUGHTON, LLP
1725 K STREET, NW, SUITE 1000
WASHINGTON, DC 20006



FORMALITIES LETTER



OC00000007215223

Date Mailed: 12/19/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 16C described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY